

**From:** [REDACTED]  
**To:** [datasharingcode](#)  
**Cc:** [REDACTED]  
**Subject:** Telefonica/O2 response to ICO's draft Data Sharing Code of Practice  
**Date:** 09 September 2019 21:01:31

---

Hello,

O2 considers the draft Data Sharing Code of Practice to provide useful further guidance regarding how organisations can further evidence their compliance with data protection standards, but we would welcome further clarification around the data sharing agreement (DSA) recommendations please. What format does the ICO expect a DSA to take? The recommended content for a DSAs is extensive and detailed, and O2 considers that much of the recommended detail will already be covered across a variety of documents/processes relating to the relevant data sharing, for example a DPIA, privacy policy, data sharing policy and a specific contract between the two controllers. In these instances, would a separate, distinct DSA also be required, or is it sufficient for the relevant content and information to be covered across multiple documents/processes? If individual DSAs are required for each example of data sharing across O2's business (in addition to the documents and processes already in place) then we are concerned that this will be burdensome and untenable for data heavy businesses such as O2 – particularly if the DPO is expected to be involved directly in each DSA. O2 also considers that it would be useful for the ICO to provide further guidance, clarity and examples around what data sharing would be considered to be “necessary”, rather than “useful or standard practice”, and the differences between the two concepts – as “necessary” seems to be a very high bar to meet. We would appreciate if the ICO would be able to provide further information and clarifications on the above issues surrounding DSAs.

If you have any questions or would like to discuss further then please do let us know.

Many thanks,

[REDACTED]

[REDACTED] | **Telefónica UK Limited**

Legal & Regulatory Team  
260 Bath Road, Slough, SL1 4DX, UK

M [REDACTED]

**Advance holiday warning:**

13 – 16 September (inclusive)

This electronic message contains information from Telefónica UK Limited which may be privileged or confidential. The information is intended to be for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any disclosure, copying distribution or use of the contents of this information is prohibited. If you have received this electronic message in error, please notify us by telephone or email.  
Switchboard: +44 (0)113 272 2000 Contact: [www.o2.co.uk/contactus](http://www.o2.co.uk/contactus) Telefónica UK Limited, 260 Bath Road, Slough, Berkshire SL1 4DX. Registered in England and Wales: 1743099. VAT number: GB 778 6037 85